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DISTRICT OF COLUMBIA + + + + + ALCOHOLIC BEVERAGE CONTROL BOARD + + + + +

MEETING

IN THE MATTER OF:

OCTOBER 1, 2014

The Alcoholic Beverage Control
Board met in the Alcoholic Beverage Control
Hearing Room, Reeves Building, 2000 14th
Street N.W., Washington, D.C., Chairperson
Ruthanne Miller, presiding.

PRESENT:

RUTHANNE MILLER, Chairperson

DONALD BROOKS, Member

NICK ALBERTI, Member

HERMAN JONES, Member

MIKE SILVERSTEIN, Member

HECTOR RODRIGUEZ, Member

JAMES SHORT, Member

1 PROCEEDINGS 6:09 p.m. 2 CHAIR MILLER: Okay we will start 3 with our Legal Agenda. First item on the 4 Legal Agenda is the Settlement Agreement 5 between ANC 1B and Cloud Restaurant and 6 7 Lounge dated September 15, 2014. Cloud 8 Restaurant and Lounge is located at 1919 9th Street, NW, License No.: 093572. I move that 9 10 we approve the Settlement Agreement with modifications to paragraph 2, 7, 9 and 12. 11 Do I have a second? 12 13 MEMBER SILVERSTEIN: Second. 14 CHAIR MILLER: Discussion, 15 questions? Okay. All those in favor say

17 (Chorus of ayes)

18 CHAIR MILLER: All those opposed 19 all those abstaining. Motion has passed.

Number two is a Settlement Agreement date August 22, 2014 between ANC 1B and Gallagher and Graham LLC located at 22

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20

21

aye.

	Page 3					
1	1939 12th Street, NW, License No: 095818. I					
2	move that we approve this Settlement					
3	Agreement without modifications to					
4	(simultaneous speaking). I move that we					
5	approve that.					
6	MEMBER RODRIGUEZ: I second that.					
7	CHAIR MILLER: Mr. Rodriguez has					
8	seconded all those in favor say aye.					
9	(Chorus of ayes) All those					
LO	opposed all those abstaining. Motion passes					
L1	6-0-0.					
L2	CHAIR MILLER: Next is a					
L3	Settlement Agreement between ANC 2B and 18th					
L 4	Street Lounge which is located at 1212 18th					
L5	Street, NW, License No.: 021211. I move that					
L6	we approve the Settlement Agreement, do I					
L7	have a second?					
L8	MEMBER ALBERTI: Second.					
L9	CHAIR MILLER: Mr. Alberti					
20	seconded the Motion. All those in favor say					
21	aye.					
22	(Chorus of ayes)					

	Page 4
1	CHAIR MILLER: All those opposed,
2	all those abstaining. Motion passes 6-0-0.
3	CHAIR MILLER: Number four is an
4	Amendment to a Settlement Agreement dated
5	September 16, 2014 between ANC 2F and Logan
6	Tavern which is located at 1423 P Street,
7	NW, License No.: 060706. I move that we
8	approve this Settlement Agreement, do I have
9	a second?
10	MEMBER ALBERTI: Second.
11	CHAIR MILLER: Mr. Alberti
12	seconded the Motion all those in favor say
13	aye.
14	(Chorus of ayes)
15	CHAIR MILLER: All those opposed,
16	all those abstaining. Motion passes 6-0-0.
17	CHAIR MILLER: Next we have a
18	Supplemental Legal Agenda. First item on
19	the Agenda is a challenge to the standing of
20	Tacoma Triangle Community Association, Inc.
21	dated July 22nd, 2014 from Craig Butler for
22	the Applicant Tacoma Station Tavern, located

	Page 5					
1	6914 4th Street, NW, License No.: 97370. I					
2	move that we deny the challenge to the					
3	standing do I have a second?					
4	MEMBER SHORT: Second.					
5	CHAIR MILLER: Mr. Short has					
6	seconded the Motion all those in favor say					
7	aye.					
8	(Chorus of ayes)					
9	CHAIR MILLER: All those opposed					
10	all those abstaining Motion passes 6-0-0.					
11	And I would like to state for the record					
12	that we have already written an Order on					
13	this which sets forth our rational in that					
14	Order is Court Order No.: 2014-345.					
15	CHAIR MILLER: Items No. 2,3,4,5					
16	and 6 are all related to Tacoma Station					
17	Tavern and they are all moved as a result of					
18	our Ruling on Item No. 1.					
19	CHAIR MILLER: Okay which brings					
20	us to Item No. 7 which is a Letter of					
21	Clarification submitted by Ronald Osten					
22	Chair of ANC 4B, dated September 25th, 2014.					

It is with respect to Cheerz located at 7303 Georgia Ave. NW, License No.: 095078 and it's and FYI.

CHAIR MILLER: Number 8 is a

Petition for Stay Aboards September 10th,

2014 Order and Stay of Issuance of the

Applicants license pending appeal dated

September 22nd, 2014 submitted by Roderic

Woodson on behalf of Celia Properties. It's

related to DC Eagle located at 3701 Benning

Road NE, License No.: 093984. So I would

move that we deny this Petition because I

don't think it meets the standards for a

study. Is there a second?

MEMBER BROOKS: Second.

CHAIR MILLER: Mr. Brooks
seconded the Motion I would also say that I
was moved by the Motion for Reconsideration
but the State has other standards and I am
not in favor of granting that stay for the
reasons I stated. Okay if there are no
other comments all those in favor of denying

all those abstaining Motion passes 6-0-0.

CHAIR MILLER: Number 9 and 10

are related to the Petition that we just

ruled on and I would say for the record that

they were considered by the Board and they

CHAIR MILLER: All those opposed

9 are moved with respect to taking any action

10 now that we have ruled on No. 8.

CHAIR MILLER: Number 11, is

Motion for Revocation-Suspension of License

No.: ABRA-093095 dated September 19th, 2014

submitted by John Sterling President of the

Shaw Dupont Citizens Alliance, Inc. with

respect to New Town Kitchen and Lounge

located at 1336 Youth Street, NW, License

No.: 093095. I move that we deny this

Motion. Is there a second?

MEMBER SILVERSTEIN: Second.

21 CHAIR MILLER: Mr. Silverstein

22 seconded the Motion. Any comments?

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	Page 9					
1	all those abstaining Motion passes 6-0-0.					
2	That completes our legal agendas, now we					
3	turn to our licensing agenda.					
4	CHAIR MILLER: All right, 1-4 are					
5	all applications for Safekeeping and 1 deals					
6	with Tonic at 315 Mount Pleasant Street NW,					
7	License No.: 060786. I move that we approve					
8	for six months. Do I have a second?					
9	MEMBER ALBERTI: Second.					
LO						
L1	CHAIR MILLER: Mr. Alberti					
L2	seconded the Motion all those in favor say					
L3	aye.					
L4	(Chorus of ayes)					
L5	CHAIR MILLER: All those opposed					
L6	all those abstaining, Motion passes 6-0-0.					
L7	CHAIR MILLER: Number 2 is					
L8	related to Carolina Palace, located at 3700					
L9	14th Street NW, License No.: 021055 I move we					
20	approve for six months do I have a second?					
21	MEMBER ALBERTI: Second.					
22	CHAIR MILLER: Mr. Alberti					

	Page 10			
1	seconded the Motion all those in favor say			
2	aye.			
3	(Chorus of ayes)			
4	CHAIR MILLER: All those opposed			
5	all those abstaining, Motion passes 6-0-0.			
6	CHAIR MILLER: Number 3 relates			
7	to The Fab Lounge located at 1805			
8	Connecticut Avenue NW, License No.: 070719.			
9	I move we approve for six months do I have a			
10	second?			
11	MEMBER ALBERTI: Second.			
12	CHAIR MILLER: Mr. Alberti			
13	seconded the Motion all those in favor say			
14	aye.			
15	(Chorus of ayes)			
16	CHAIR MILLER: All those opposed			
17	all those abstaining, Motion passes 6-0-0.			
18	CHAIR MILLER: Number 4 related			
19	to Optimism located at 3301 12th Street NE,			
20	License No.: 083552 I move we approve for			
21	six month do I have a second?			
22	MEMBER ALBERTI: Second.			

Application for Sidewalk Café Endorsement

with Seating for 6 Occupants at Showtime

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	Page 14					
1	located at 113 Rhode Island Avenue NW,					
2	License No.: 089186. I move that we placard					
3	this Application. Do I have a second?					
4	MEMBER SHORT: Second.					
5	CHAIR MILLER: Mr. Short has					
6	seconded the Motion. All those in favor say					
7	aye.					
8	(Chorus of ayes)					
9	CHAIR MILLER: All those opposed					
10	all those abstaining Motion passes 6-0-0.					
11	CHAIR MILLER: Number 13 is an					
12	Application for an Entertainment Endorsement					
13	for Impala Cantina y Taqueria located 1358 H					
14	Street NE, License No.: 088603. I move that					
15	we placard this Application do I have a					
16	second.					
17	MEMBER SILVERSTEIN: Second.					
18	CHAIR MILLER: Mr. Silverstein					
19	seconded the Motion all those in favor say					
20	aye.					
21	(Chorus of ayes)					
22	CHAIR MILLER: All those opposed					

CHAIR MILLER: Number 14 is an Application for Managers license for Nicole Miller ABRA 096743 I move that we invite Miss Miller for a fact finding do I have a second.

MEMBER ALBERTI: Second.

CHAIR MILLER: Mr. Alberti seconded the Motion all those in favor say aye.

(Chorus of ayes)

CHAIR MILLER: All those opposed all those abstaining Motion passes 6-0-0. That completes the licensing agenda but we have Supplemental Agendas.

CHAIR MILLER: First Supplemental Licensing Agenda in regard for a Temporary Operating Permit for Park Hyatt located at 1201 24th Street NW, License No.: 096399 ANC 2E and I move it be approved.

MEMBER ALBERTI: Second.

CHAIR MILLER: Mr. Alberti

	Page 16					
1	seconded the Motion all those in favor say					
2	aye.					
3	(Chorus of ayes)					
4	CHAIR MILLER: All those opposed					
5	all those abstaining Motion passes 6-0-0.					
6	CHAIR MILLER: Number 2 is a					
7	Request for a Temporary Operating Permit for					
8	Wide World of Wines located at 2201					
9	Wisconsin Avenue NW, License No.: 096780 and					
10	ANC 3B I move that we approve.					
11	MEMBER ALBERTI: Second.					
12	CHAIR MILLER: Mr. Alberti					
13	seconded the Motion all those in favor say					
14	aye.					
15	(Chorus of ayes)					
16	CHAIR MILLER: All those opposed					
17	all those abstaining Motion passes 6-0-0.					
18	CHAIR MILLER: Number 3 is a					
19	Review of Documentation for New Retail and					
20	Full Service Grocery Application for MOM's					
21	Organic Market located at 1401 New York					
22	Avenue, License No.: 094996 and ANC 5D. I					

move that we hold a fact finding with
respect to MOM's Organic Market and their
plans do I have a second?
MEMBER SILVERSTEIN: Second.
CHAIR MILLER: Mr. Silverstein
seconded the Motion all those in favor say
aye.
(Chorus of ayes)
CHAIR MILLER: All those opposed
all those abstaining Motion passes 6-0-0.
CHAIR MILLER: Number 4 is a
letter from Hamiltonian Artists it is with
respect to Hamiltonian Gallery 1353 U street
NW, License No.: 095794 ANC 1B and it's a
letter concerning whether or not they need
to get a license for an opening at the Art
Gallery I would move that we respond that
they do not need a license provided they
comply with DC Code Section 25-102 do I have
a second?
MEMBER ALBERTI: Second.
CHAIR MILLER: Any comments?

was approved last week so no action is

Street NE, License No.: 086210 actually this

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CHAIR MILLER: Number 4 is a
Request for Immediate Removal of License
from Safekeeping this is for the same
establishment Driftwood Kitchen and is also
located in ANC 6C. I move that we refer this
request to licensing.

MEMBER SILVERSTEIN: Second.

CHAIR MILLER: Okay Mr.

Silverstein has seconded the Motion all those in favor say aye.

(Chorus of ayes)

CHAIR MILLER: All those opposed all those abstaining Motion passes 6-0-0.

Okay I think that completes our Agenda for today October 1st and all we have left is to vote on our proposed meeting for next week.

CHAIR MILLER: As Chairperson of the Alcoholic Beverage Control Board for the District of Columbia and in accordance Section 405 of the Open Meetings Amendment Act of 2010 I move that the ABC Board hold a

- 35 ==
closed meeting on October 8, 2014 for the
purpose of discussing and hearing reports
concerning ongoing or planned
investigations, alleged criminal or civil
misconduct or violations of law or
regulations in seeking legal advice from our
Counsel on the Boards investigative agenda
or October 8, 2014 as published in the DC
Register on October 3rd, 2014. Is there a
second?
MEMBER SILVERSTEIN: Second.
MEMBER SILVERSTEIN: Second. CHAIR MILLER: Mr. Silverstein
CHAIR MILLER: Mr. Silverstein
CHAIR MILLER: Mr. Silverstein seconded the Motion I will now take a vote
CHAIR MILLER: Mr. Silverstein seconded the Motion I will now take a vote on the Motion before us now that it has been
CHAIR MILLER: Mr. Silverstein seconded the Motion I will now take a vote on the Motion before us now that it has been seconded, Mr. Brooks?
CHAIR MILLER: Mr. Silverstein seconded the Motion I will now take a vote on the Motion before us now that it has been seconded, Mr. Brooks? MEMBER BROOKS: I agree.
CHAIR MILLER: Mr. Silverstein seconded the Motion I will now take a vote on the Motion before us now that it has been seconded, Mr. Brooks? MEMBER BROOKS: I agree. CHAIR MILLER: Mr. Alberti?
CHAIR MILLER: Mr. Silverstein seconded the Motion I will now take a vote on the Motion before us now that it has been seconded, Mr. Brooks? MEMBER BROOKS: I agree. CHAIR MILLER: Mr. Alberti? MEMBER ALBERTI: I agree.
CHAIR MILLER: Mr. Silverstein seconded the Motion I will now take a vote on the Motion before us now that it has been seconded, Mr. Brooks? MEMBER BROOKS: I agree. CHAIR MILLER: Mr. Alberti? MEMBER ALBERTI: I agree. CHAIR MILLER: Mr. Rodriguez?

1	CHAI	R	MILLER:	Mr.	Silverstein?

MEMBER SILVERSTEIN: I agree.

3 CHAIR MILLER: Mr. Short?

4 MEMBER SHORT: I agree.

5 CHAIR MILLER: It appears that

6 the Motion is passed by a 6-0-0 vote I

7 hereby give Notice that the ABC Board will

8 hold a closed meeting pursuant to the Open

9 Meetings Amendment Act of 2010 Notice will

10 also be posted on the ABC Board, Hearing

11 Room Bulletin Board, placed on the

12 electronic calendar and ABRA's website and

13 published in the DC Register in as timely a

14 manner as practical. As Chairperson

15 Alcoholic Beverage Control Board for the

16 District of Columbia and in accordance

17 Section 405 of the Open Meetings Amendment

18 Act of 2010 I hereby move that the ABC Board

19 hold a closed meeting on October 8, 2014 for

20 the purpose of seeking legal advice from our

21 counsel on the matters identified on the

Boards Agenda for October 8, 2014 as posted

hold this closed meeting pursuant to the

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1	Open Meetings Amendment Act of 2010 Notice
2	will also be posted on the Notice will also
3	be posted on the ABC Board Hearing Room
4	Bulletin Board, placed on the electronic
5	calendar and ABRA's website and published in
6	the DC Register in as timely a manner as
7	practical. Okay I think that concludes our
8	business for October 1st, 2014 and we are
9	adjourned at 6:33 p.m.
LO	(Whereupon, the hearing was
L1	adjourned at 6:32 p.m.)
L2	
L3	
L 4	
L5	
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22	

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